

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

THIS DOCUMENT RELATES TO CLASS 1
RESIDENTS OF THE DISTRICT OF
COLUMBIA AND STATES OTHER THAN
THE COMMONWEALTH OF
MASSACHUSETTS

MDL NO. 1456
Civil Action No. 01-12257-PBS

Hon. Patti B. Saris

**NOTICE OF DOCKETING OF
STATE-BY-STATE UDTPA COMPARISON**

As directed by The Hon. Patti B. Saris, the J&J Defendants hereby give notice that they have docketed the attached “State-By-State UDTPA Comparison,” which was distributed during the July 12, 2010 hearing on the J&J Defendants’ motions for summary judgment.

Dated: July 13, 2010

/s/ Adeel A. Mangi

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STATE-BY-STATE UDTPA COMPARISON

	No Right to Jury Trial	Conduct Not Prohibited By Statute	Class Actions Not Allowed	Uniquely Onerous Liability Standard	Statute Only Prohibits Deceptive Conduct	Statute Prohibits Deceptive or Unfair Conduct	Statute Prohibits Deceptive or Unconscionable Conduct	Detrimental Reliance Required	Materiality Required	Actual Damages Required
ARIZONA					X			X		X
ARKANSAS						X				X
CALIFORNIA §1770		X							X	X
CALIFORNIA §17200	X					X		X ¹		X
COLORADO					X					X
CONNECTICUT						X			X	X
DELAWARE					X					X
DISTRICT OF COLUMBIA					X				X	
FLORIDA						X	X			X
HAWAII						X			X	
IDAHO							X			X
ILLINOIS	X					X			X	X
INDIANA					X				X	
KANSAS							X ²		X	X
MARYLAND						X		X	X	X
MASSACHUSETTS	X					X				X
MICHIGAN					X			X ³	X	X
MISSOURI						X				X
MINNESOTA					X			X ⁴		
NEBRASKA	X					X				X
NEVADA					X					
NEW HAMPSHIRE	X					X				
NEW JERSEY							X		X	X
NEW MEXICO							X			X
NEW YORK					X				X	X
NORTH CAROLINA						X ⁵		X		X
NORTH DAKOTA					X					
OHIO				X						
OKLAHOMA						X				X
OREGON					X			X		X
PENNSYLVANIA					X			X	X	X
RHODE ISLAND						X				X
SOUTH CAROLINA		X								
SOUTH DAKOTA					X			X		X
TENNESSEE		X								
TEXAS							X		X	
UTAH			X	X						X
VERMONT						X			X	
WASHINGTON						X				X
WEST VIRGINIA						X				
WISCONSIN						X				X
WYOMING						X		X		X

1 Actual reliance by class representatives required; 2 Unconscionability to be determined by the Court; 3 That reliance would have been reasonable required; 4 Reliance part of causal nexus; 5 Court determines whether conduct is unfair or deceptive.

CERTIFICATE OF SERVICE

I certify that on July 13, 2010 I caused a true and correct copy of the foregoing to be delivered via electronic service to all counsel of record pursuant to Case Management Order No. 2.

/s/ Adeel A. Mangi
Adeel A. Mangi